

STUART RABNER
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for State Board of Dentistry

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 1-17-07 DA

By: Nancy Costello Miller
Deputy Attorney General
(973) 648-4447

Original

STATE OF
DEPARTMENT OF
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY
C SAFETY

IN THE MATTER OF

CARL TINKELMAN, D.D.S.
License No. DI 08099

LICENSED TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

:
:
: Administrative Action
:
:
: CONSENT ORDER
:
:

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of information that Carl Tinkelman, D.D.S. ("respondent"), had engaged in conduct that, if proved, would constitute a violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 2C:21-4.6. Specifically, it was alleged that respondent had induced two employees in his dental office to sign insurance company forms in which they falsely stated that they provided and were paid for the homemaker/companion services rendered to respondent's wife, in order to receive reimbursement for those services.

Following the Board's receipt of the information, respondent appeared before the Board with his counsel, Nicholas C. Harbist, Esq. Respondent admitted the conduct, but

offered in mitigation an expert report, concluding that any inaccuracies on the insurance claims forms were not material to the insurance company's obligation to pay the claims and, therefore, respondent did not violate the Insurance Fraud Prevention Act. Furthermore, respondent's counsel advised the Board that respondent qualified for, and agreed to participate in the Pretrial Intervention Program in order to avoid criminal liability for his actions.

Based on the above, it appears that respondent submitted claim forms containing false information to an insurance company. These facts provide a basis for Board action pursuant to N.J.S.A. 45:1-21 (e) (professional misconduct); and N.J.S.A. 45:1-21 (k) (violation of insurance fraud prevention law). In order to avoid initiation of a formal complaint, respondent has agreed to enter into this consent order. The Board has determined that the terms of this order are adequately protective of the public health, safety and welfare.

IT IS, THEREFORE, ON THIS 17th DAY OF January, 2007,

ORDERED AND AGREED THAT:

1. Carl Tinkelman, D.D.S., is hereby reprimanded by the Board for his conduct in submitting false claim forms to an insurance company..
2. Respondent shall fully attend and successfully complete the ProBE (Professional Problem Based Ethics) course offered by the Ethics Group, 89 Summit Avenue, Summit, New Jersey 07901, or the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903. Documentation of the successful completion of

and receipt of an unconditional passing grade for the course shall be provided to the Board within six (6) months of the date of this order.

3. Respondent is assessed the costs of the investigation to the State in this matter in the amount of \$333.00. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to the Kevin B. Earle, Executive Director, State Board of Dentistry, P.O. Box 45005, Newark, New Jersey 07101, within 30 days of the entry of this order.

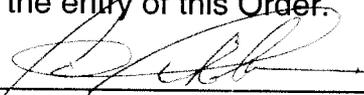
5. Failure to remit any payment required by this Order will result in the filing of a certificate of debt.

6. Failure to comply with any of the terms of this consent order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

By: _____
Peter L. DeSciscio, D.M.D. President

I have read and understand this Consent Order and agree to be bound by its terms. I consent to the entry of this Order.

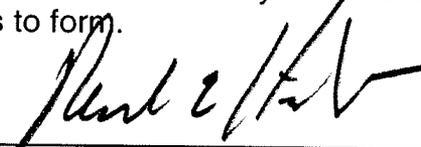


Carl Tinkelman, D.D.S

1/9/07

Date

I consent to the entry of this order as to form.



Nicholas C. Harbist, Esq.

1/9/07

Date

and receipt of an unconditional passing grade for the course shall be provided to the Board within six (6) months of the date of this order.

3. Respondent is assessed the costs of the investigation to the State in this matter in the amount of \$333.00. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to the Kevin B. Earle, Executive Director, State Board of Dentistry, P.O. Box 45005, Newark, New Jersey 07101, within 30 days of the entry of this order.

5. Failure to remit any payment required by this Order will result in the filing of a certificate of debt.

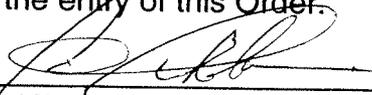
6. Failure to comply with any of the terms of this consent order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

By:


Peter L. DeSciscio, D.M.D. President

I have read and understand this Consent Order and agree to be bound by its terms. I consent to the entry of this Order.

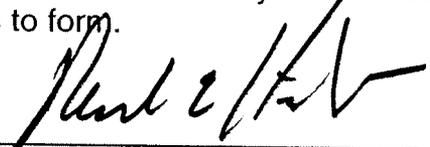


Carl Tinkelman, D.D.S

Date

1/9/07

I consent to the entry of this order as to form.



Nicholas C. Harbist, Esq.

Date

1/9/07